
Subject: Food Authorization Procedure

Effective Date: October 1, 2004

Revised from:

Policy: The State of Kansas WIC Program will publish the WIC Approved Food List every two years. The WIC Approved Food List will contain all foods approved for purchase with WIC checks. Cereals and juices will be listed by brand name. The Kansas WIC Program has established the following procedure for reviewing the Kansas WIC Approved Food List.

Reference: CFR §246.10**Procedure:**

1. The WIC Approved Food List is reviewed each odd-numbered year.
2. A written request to consider a cereal or juice brand must be submitted to the State Agency. The request must be postmarked by January 15 of each odd-numbered year.

A. Cereals

- i. Requests for cereal products must include:
 - (1) a product nutrient analysis containing;
 - (a) amount of iron in milligrams per 1-ounce dry cereal.
 - (b) amount of total sugars in grams per 1-ounce dry cereal.
 - (c) amount of folic acid in micrograms per serving dry cereal.
 - (d) amount of fiber in grams per serving dry cereal.
 - (2) grams of dry cereal per serving;
 - (3) a listing of each ingredient in descending order of predominance;
 - (4) a listing of all package sizes marketed in Kansas; and
 - (5) a listing of all distributors in Kansas that carry the product, including contact information.
- ii. Must meet or exceed the following guidelines:
 - (1) must contain at least 7.8 milligrams of iron per ounce dry cereal.
 - (2) must contain no more than six grams of sucrose and other sugars per ounce dry cereal.
 - (3) may not contain non-nutritive sweeteners (such as aspartame or saccharin).
- iii. Cereal must be in 9 ounce or larger packages.
- iv. Preference will be given to products that:
 - (1) contain at least 200 micrograms folic acid per serving of cereal; and/or
 - (2) contain at least 8 grams fiber per serving of cereal.

B. Juices

- i. Requests for juices must include:
 - (1) product nutrient analysis containing quantity of vitamin C in milligrams per fluid ounce juice (ready to drink or reconstituted);

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- (2) a listing of each ingredient in descending order of predominance;
 - (3) a listing of all package sizes marketed in Kansas;
 - (4) a listing of all distributors in Kansas that carry the product, including contact information.
 - ii. Must meet or exceed the following guidelines:
 - (1) must be 100% juice.
 - (2) must contain a minimum of 8.9 milligrams of vitamin C per fluid ounce (ready to drink or reconstituted).
 - (3) must be unsweetened. May not contain added sugar or non-nutritive sweeteners (such as aspartame or saccharin).
 - iii. Must be orange, apple, grape or a blend containing grape juice.
 - iv. Must be in allowed container sizes of:
 - (1) 11-12 ounce concentrate; or
 - (2) single strength juice of:
 - (a) 46 ounce containers; or
 - (b) 6.75 ounce juice containers.
3. Actual retail price of products is evaluated by random survey of vendors in various peer groups. The actual retail price must not exceed 110% of the average price for that food category, as established by a Quarterly Price Assessment.
 4. When selecting or eliminating authorized foods, consumer preference will be evaluated periodically through client surveys .
 5. All food products must be readily available at Kansas WIC authorized grocers by October 1 of each odd-numbered year. Product availability is determined by comparing the products' wholesale distributors with the list of distributors for Kansas WIC authorized grocers.
 6. The submitted information is evaluated by a committee representing the State Agency, Local Agencies, and WIC Vendors.
 7. The committee submits its recommendations on the WIC Approved Food List at special joint meeting of the WIC Advisory Committee and the Vendor Advisory Group. The WIC Advisory Committee together with the Vendor Advisory Group make the final recommendations to the SA for approval or disapproval.
 8. Food items that meet the general specifications may not be allowed for use in Kansas if:
 - A. they also exhibit properties that are inconsistent with sound nutrition practices;
 - B. they convey consumer messages that conflict with the WIC Program mission;
 - C. there is potential for confusion (e.g. group of juices or cereals from one manufacturer that have a similar name and package design/appearance of other products that do not

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qualify for the WIC Program) therefore, increase the potential for confusion by retail stores and clients;

D. other objective reasons as documented by the WIC Advisory Committee or Vendor Advisory Group.

9. The SA sends notification of approval/disapproval to the food company by June 1 of each odd-numbered year.
10. Food companies must submit a high-resolution (300 dpi) image of the product for each approved product. The images must be either a cmyk.tif file or an eps file. Any placed images, as well as typed faces, need to accompany an eps file.
11. By August 15 of odd-numbered years, the proposed WIC Approved Food List is sent to USDA Mountain Plains Regional Office for final approval.
12. WIC vendors and clients are provided with an updated WIC Approved Food List and a list comparing the old and new lists by October 1 of each odd-numbered year.
13. The new WIC Approved Food List becomes effective October 1 of each odd-numbered year. There will be a three-month phase in period from October 1 to January 1 during which clients will be allowed to purchase foods listed on either the old or the new WIC Approved Food List. Effective January 1 of the even-numbered year, clients will be able to purchase only those foods listed on the new WIC Approved Food List.

Pursuant to Federal Regulation §246.10, the State Agency reserves the right to deny approval for any submitted product.

Food companies are responsible for notifying the State Agency of any changes in food product name, nutrient composition or product packaging prior to implementing the change. If the product no longer meets the state requirements defined in the WIC food product policies and guidelines, the State Agency will delete that product from the current WIC Approved Food List. If the food company does not notify the State Agency of impending changes, the State Agency may delete that company's entire line of products from the current WIC Approved Food List. Copies of Kansas WIC food policies and guidelines are available to food companies upon request.

Food companies are required to receive prior authorization before designating a food product as WIC approved in Kansas. Any use of the acronym "WIC" by a food company in the state of Kansas must receive prior approval from the State Agency. Failure to obtain said authorization may result in the deletion of that company's line of products from the WIC Approved Food List.